

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JEFFREY LANPHERE,)	
)	
Plaintiff,)	Civil Action No. 11-207 Erie
)	
v.)	
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM ORDER

Plaintiff's social security complaint was received by the Clerk of Court on September 16, 2011, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 13], filed on September 27, 2012, recommended that Plaintiff's Motion for Summary Judgment [ECF No. 9] be denied, and that Defendant's Motion for Summary Judgment [ECF No. 11] be granted. The parties were allowed fourteen (14) days from the date of service to file objections. No objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 17th day of October, 2012;

IT IS HEREBY ORDERED that the Plaintiff's Motion for Summary Judgment [ECF No. 9] is DENIED, and the Defendant's Motion for Summary Judgment [ECF No. 11] is GRANTED.

The Report and Recommendation [ECF No. 13] of Magistrate Judge Baxter, filed on September 27, 2012, is adopted as the opinion of the Court.

JUDGMENT is hereby entered in favor of Defendant, Michael J. Astrue, Commissioner of Social Security, and against Plaintiff, Jeffrey Lanphere.

The clerk is directed to mark the case closed.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record